

## Memorandum

Subject: Coast Guard - Environmental Clearance  
of Historic Bridges

From: Director, Office of Environmental Policy  
Washington, D.C. 20590

To: Regional Federal Highway Administrator  
Regions 1-10, and Direct Federal Program Administrator

Date: July 30, 1985

Reply to  
Attn. of: HEV-11

Several Regions have expressed concern regarding our January 14, 1985, memorandum on this subject and the accompanying joint guidance. This memorandum is intended to clarify and modify our position.

The joint guidance arose from the need to establish a common understanding between the Federal Highway Administration (FHWA) and the U.S. Coast Guard (USCG) concerning which environmental processing option is most appropriate in the situation where a historic bridge is being altered, modified, or demolished as part of a FHWA project. Pursuant to the 1981 FHWA/USCG Memorandum of understanding, the USCG will ordinarily accept the FHWA's environmental document as fulfilling its National Environmental Policy Act responsibility. This acceptance of the FHWA document on the USCG's part is predicated on consultation between the two agencies prior to deciding on the class of action. The potential for disagreement on this decision became apparent when the FHWA and the USCG in several instances appeared to be employing different standards in assessing the significance of impacts to historic bridges. The result was an Office of the Secretary (OST) response to an USCG inquiry supporting the position that an environmental impact statement would normally be required in these cases.

Our January 14 guidance focuses primarily on projects involving the demolition of a historic bridge because this is the area of highest potential for disagreement between the FHWA and the USCG. The Council on Environmental Quality has established a framework for impact analysis based on context and intensity. Clearly, if a historic bridge is to be demolished, the intensity of the impact on that bridge is extreme. Thus, the only logical way of

finding the impact to be not significant is through an examination of the context in which it occurs. The determination regarding importance for preservation laid out in the guidance is a special case application of the context principle.

The guidance presents three methods of arriving at a well supported decision that a historic bridge is not important for preservation. All three methods are based on an analysis of the bridge in question in the context of other similar bridges. While we feel that this is the most appropriate contextual framework to utilize in many cases, we recognize that other contexts maybe more appropriate in individual cases. When a context other than the relationship of the bridge in question to similar types of historic bridges is utilized, care should be taken to clearly lay out the rationale in the project documentation and to confirm through consultation with the USCG, that they will accept the type of document that FHWA decides to prepare.

Several comments on the guidance urged limiting it to projects involving USCG permits. Recognizing that the guidance was originally developed to address situations where disagreements could occur between the FHWA and the USCG, we have decided to limit it only to projects USCG permits.

Several comments urged a clarification of the State Historic Preservation Officer's (SHPO's) role, emphasizing that the SHPO not be in a position to dictate to the FHWA the type of environmental document to prepare. We agree. Our intent is simply to consult with the SHPO as we normally do as part of the Section 106 process.

We recognize the concerns that the guidance raised and hope the above discussion addresses most of them, at least as a short-term solution. Over the longer term, we intend to meet with the OST to discuss this issue among others in an attempt to eliminate any unnecessary constraints on how the FHWA fulfills its environmental responsibilities.

/Original Signed By/

Ali F. Sevin